IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 3286 of 2005

Between:

V. Vijay Kumar Naidu, S/o. Balarama Naidu, Aged about 40 years,
R/o. H.NO. 6/7-552, KT Road, Tirupati, Chittoor District.

..... PETITIONER

AND

1. The Andhra Pradesh State Road Transport Corporation, rep by its Vice Chairman & Managing Director, Azamabad, Hyderabad.
2. The Regional Manager, AP State Road Transport Corporation, Tirupathi Region, Tirupathi, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more in the nature of Writ of Mandamus, declaring the action of the respondents in not considering the petitioner's case for appointment as Driver in the interviews scheduled to be held on 25-2-2005 along with the candidates on the pretext that there is a delay of 'one day' in submitting the genuine licence as being illegal, arbitrary, violative of principles of promissory estoppel besides violative of Articles 14, 16 and 21 of the constitution of India, and consequently direct the respondents to appoint the petitioner as Driver in the existing vacancies.

Counsel for the Petitioner:MR.D.SESHADRI NAIDU

Counsel for the Respondent Nos.1&2: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the admission stage made the following :

ORDER;

For not considering the petitioner’s case for appointment as Driver in the interview scheduled to be held on 25-02-2005 along with the candidates on the pretext that

there is a delay of ‘one day’ in submitting the genuine licence, the present writ petition is filed.

The learned counsel for the petitioner submits that the petitioner could not be in a position to submit the driving licence within time because he could not obtain the licence from the competent authority in time. On 01-12-2001 the Regional Transport Authority, Tirupathi has granted the licence to the petitioner. So, on that ground, the case of the petitioner cannot be rejected.

In the circumstances, a direction can be given to the respondents to permit the petitioner to participate in the interview.

Accordingly, the Writ Petition is disposed of directing the respondents to permit the petitioner to participate in the interviews schedule to be held on 25-02-2005 and thereafter, the same shall have to be considered in accordance with law. This order will not give any right of appointment to the petitioner. No costs.

_____

23-02-20005

To

1. The Andhra Pradesh State Road Transport Corporation, rep by its Vice Chairman & Managing Director, Azamabad, Hyderabad.
2. The Regional Manager, AP State Road Transport Corporation, Tirupathi Region, Tirupathi, Chittoor District.

3 Two C.D. copies.

sj